

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NANCY BUCKLEY,)
)
 Plaintiff,) Civil Action No.05cv10490-NMG
)
 v.)
)
 CITY OF BROCKTON SCHOOL)
 DEPARTMENT,)
)
 Defendant.)
 _____)

ORDER ON MOTION TO COMPEL

SOROKIN, M.J.

DECEMBER 1, 2005

Plaintiff's Motion to Compel (Docket # 9) is ALLOWED IN PART and DENIED IN PART, as set forth below.

1. The Defendant City of Brockton School Department is ORDERED to produce within 14 days of this Order copies of the personnel files of Sharon Wolder and Alan Jolly. Based upon the City's arguments, the Court assumes that the files do not contain independently privileged information, medical or psychiatric information or other information of a "highly personal or intimate nature." Martinez v. New England, 307 F.Supp.2d 257, 267 (D.Mass. 2004). The parties shall confer and attempt to agree upon a confidentiality order governing these files (and any other similar type of discovery in the case). If the parties fail to agree, then they shall submit their competing proposals to the Court within ten days.

2. The remainder of plaintiff's Motion to Compel requests are DENIED WITHOUT

PREJUDICE. As to some matters the parties appear to have reached agreement in the course of briefing the Motion and as to others the record does not reveal that counsel conferred as required under Local Rule 37.1(A).

3. The Request for Sanctions in the form of the cost of the Motion is DENIED.

So Ordered.

/s/ Leo T. Sorokin
LEO T. SOROKIN
UNITED STATES MAGISTRATE JUDGE